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# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

SPZ 18-024119

LOGS Legal Group LLP 14000 Commerce Parkway, Suite B Mount Laurel, NJ 08054 (856) 793-3080 Elizabeth L. Wassall, Esq. 023211995 ATTORNEYS FOR SPECIALIZED LOAN SERVICING LLC

IN RE:

RUTH R. AUER aka Ruth Ramirez Auer aka Ruth Ramirez, DEBTOR

Order Filed on June 16, 2021 by Clerk U.S. Bankruptcy Court District of New Jersey

CASE NO.: 19-26009-MBK

JUDGE: HONORABLE MICHAEL B.

KAPLAN

#### ORDER VACATING STAY AND CO-DEBTOR STAY

The relief set forth on the following pages, numbered two (2) through two (2) is hereby ORDERED.

**DATED: June 16, 2021** 

Honorable Michael B. Kaplan United States Bankruptcy Judge

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Upon the motion of LOGS Legal Group LLP, Attorneys for Specialized Loan Servicing LLC under Bankruptcy Code section 362(d) for relief from the Automatic Stay as to certain real property as hereinafter set forth, and for cause shown,

- 1. It is ORDERED that the automatic stay of Bankruptcy Code section 362(a) is vacated to permit the movant to institute or resume and prosecute to conclusion one or more action(s) in the court(s) of appropriate jurisdiction to foreclose mortgage(s) held by the movant or alternatively to allow movant to pursue alternatives to foreclosure upon the following:
- XX Land and premises known as Lot 14.02 Block 201 f/k/a Lot 14.B Block 201 Commonly known as 166 Ten Eyck Street, South Plainfield, New Jersey 07080
- 2. It is ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursing other loss mitigation alternative, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property as sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.
- 3. It is ORDERED that the co-debtor stay under 11 U.S.C. 1301 is vacated as to the co-debtor, Allison M. Ramirez, to permit the Plaintiff to pursue its rights in the real property described above.
- 4. The movant may join the Debtor and any trustee appointed in this case as defendants in its foreclosure action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the Debtor, any trustee and other party who entered an appearance on the motion.

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United States Bankruptcy Court District of New Jersey

In re: Case No. 19-26009-MBK

Ruth R. Auer Chapter 13

Debtor

CERTIFICATE OF NOTICE

District/off: 0312-3 User: admin Page 1 of 2
Date Rcvd: Jun 16, 2021 Form ID: pdf903 Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol Definition

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 18, 2021:

Recipi ID Recipient Name and Address

db + Ruth R. Auer, 166 Ten Eyck St., South Plainfield, NJ 07080-4519

TOTAL: 1

 $Notice \ by \ electronic \ transmission \ was \ sent \ to \ the \ following \ persons/entities \ by \ the \ Bankruptcy \ Noticing \ Center.$ 

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

### **BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

### NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 18, 2021 Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 16, 2021 at the address(es) listed below:

Name Email Address

Albert Russo

on behalf of Trustee Albert Russo docs@russotrustee.com

Albert Russo

docs@russotrustee.com

Denise E. Carlon

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Elizabeth L. Wassall

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Paola D. Vera

on behalf of Debtor Ruth R. Auer pvera@cabanillaslaw.com bankruptcy@cabanillaslaw.com;r64840@notify.bestcase.com

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Date Rcvd: Jun 16, 2021 Form ID: pdf903 Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7